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## U.S. Said to Admit German's Abduction Was an Error

*On Europe Trip, Rice Faces Scrutiny on Prisoner Policy*

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The Bush administration has admitted it mistakenly abducted a German citizen it suspected of terrorist links, German Chancellor Angela Merkel said Tuesday after meeting with Secretary of State Condoleezza Rice.

Rice, addressing reporters in Berlin with Merkel, declined to comment on the specific case of Khaled Masri, but she said she pledged to the German leader that "when and if mistakes are made, we work very hard and as quickly as possible to rectify them." Her aides scrambled to say Rice did not admit an error.

Merkel's statement that "the American administration has admitted this man has been erroneously taken" was relayed by an interpreter and came as European scrutiny of the U.S. policy of secretly taking terrorism suspects to clandestine detention centers for extrajudicial interrogations has intensified.

In the first full day of a week-long European tour for Rice, questions on this issue dominated her news conference with Merkel, which drew dozens of reporters and 27 television cameras. Twelve of 13 questions posed to Rice in an interview with Britain's Sky News service referred to prisoner policies.

Rice faced more questions about CIA practices at a later news conference in Romania. She was making a three-hour stopover designed to highlight a landmark agreement by which Romania, a former member of the Soviet-dominated Warsaw Pact, will allow 1,500 U.S. troops to use one of its air bases.

The Washington Post reported Sunday that in May 2004, then-U.S. ambassador Daniel R. Coats told the German interior minister about the Masri case but requested that the German government never disclose what it had been told, even if Masri went public.

On Tuesday, Masri filed suit in U.S. District Court in Alexandria against former CIA director George J. Tenet, three private airline companies and unnamed CIA officials, saying that he was abducted in Macedonia and flown to a secret prison in Afghanistan. There, he alleges, he was abused and held against his will even though Tenet and other top officials knew he was mistakenly detained.

The complaint, filed by lawyers from the American Civil Liberties Union, asks for damages in excess of \$75,000. At a news conference in Washington, Masri spoke via satellite link from Germany and said he wanted U.S. officials to explain "why they did this to me and how this came about." He requested an official U.S. government apology.

Masri attempted to enter the United States over the weekend to speak at the news conference but was turned away because his name was on a Homeland Security watch list. A State Department official said Tuesday the United States had informed the German government that the problem had been resolved and he would be allowed to enter. Like other State Department officials interviewed Tuesday, this one declined to be identified by name, following State Department policy.

Aides traveling with Rice said she did not concede any errors in the Masri case during her meeting with Merkel. They said they were puzzled by Merkel's remarks and suggested she may have been influenced by news reports about the case.

But a senior administration official traveling with Rice confirmed that U.S. officials had previously informed the Germans that Masri was released because there was not sufficient intelligence to justify his continuing detention. The official said Masri was seized because his name was similar to a militant leader's and because officials thought his passport was forged. The official declined to say whether the U.S. government ever had evidence to justify his detention.

At the news conference in Berlin, Merkel noted that the case "was very much in the public eye today" and said she would refer it to a German parliamentary committee for further investigation.

On Nov. 2, The Post reported that the CIA had been hiding and interrogating some of its most important al Qaeda captives at a Soviet-era compound in Eastern Europe, part of a covert prison system that at various times has included sites in eight countries, including Thailand, Afghanistan and several East European democracies.

The Post did not identify those countries at the request of senior U.S. officials, who said the disclosure could disrupt counterterrorism efforts there and elsewhere and make those countries targets of retaliation.

In an effort to calm tensions triggered by the disclosure, Rice began her trip Monday by reading a detailed statement designed to allay concerns in Europe over CIA practices in the war on terrorism. She neither confirmed nor denied the existence of the clandestine prison system. But she said the CIA's interrogations helped prevent terrorist attacks, and she strongly suggested that the questioning took place with the cooperation of European governments.

U.S. aides hope that Rice's forceful rebuttal will turn the tables on the criticism by forcing the European public to consider the potentially deadly consequences if their governments fail to combat terrorism.

Dutch Foreign Minister Ben Bot told his country's lower house of parliament Tuesday that the U.S. statement was unsatisfactory. He said he expected a "lively discussion with Rice and foreign ministers of NATO member states" when they meet on Thursday in Brussels, the Dutch news agency ANP said.

Friso Roscam Abbing, spokesman for the European Union's justice commissioner, Franco Frattini, said, "We welcome Dr. Rice's strong commitment to fully respecting the rule of law and her zero tolerance for torture." But, he added, "I certainly would not say that we're back to business as usual."

Daniel Keohane, a research fellow at the Center for European Reform in London, said Rice "seems to be implying that Europeans were well aware of who's going where in their airspace and in their territory."

He suggested that European governments "probably would prefer to brush this under the carpet."

The agreement with Romania to permit the stationing of U.S. troops marks a significant advance in the Pentagon's effort to scale down large military bases in Germany, designed to counter Cold War- era land invasions, and create smaller ones in Eastern Europe for leaner, more flexible units attuned to small-scale wars and counterterrorism. Under the agreement that Rice signed Tuesday, the U.S. force at Mihael Kogalniceanu air base on the Black Sea will remain relatively small and troops will frequently rotate out of the country.

Human Rights Watch has cited flight records of aircraft allegedly linked to the CIA to suggest that facilities in Poland and Romania were used as CIA detention centers and has named the Kogalniceanu base as one of four possible Romanian sites. Both countries have denied they hosted such prisons, and intelligence officials have said many of the flights likely carried CIA officials and were probably not transporting terror suspects.

At the news conference, Romania's president, Traian Basescu, angrily denounced the "speculation about the landing of certain airplanes" and invited any international organization to inspect "any part of Romania, any military base" to settle the controversy.

Correspondent John Ward Anderson in Paris and staff writer Josh White in Washington contributed to this report.

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